



State of Nevada – Department Of Personnel

CLASS SPECIFICATION

<u>TITLE</u>	<u>GRADE</u>	<u>EEO-4</u>	<u>CODE</u>
CHIEF ADMINISTRATIVE LAW JUDGE	42	A	7.681
ADMINISTRATIVE LAW JUDGE	40	B	7.680

SERIES CONCEPT

Administrative Law Judges in the Department of Motor Vehicles (DMV) conduct quasi-judicial hearings for contested administrative decisions, disputed claims and/or alleged infractions of the rules and regulations pertaining to licensing and fees under the jurisdiction of the DMV; weigh the validity of issues and evidence presented at the hearing; interpret relevant laws, regulations, policies and procedures as they apply to the issues; make fair and impartial decisions based on facts and conclusions of the law.

Conduct administrative law hearings pertaining to the denial, suspension, revocation and cancellation of driver's licenses which include DUI and traffic point violations; motor vehicle registrations which include matters of mandatory insurance and accident-related suspensions; licensing, temporary closure and/or fines imposed on motor vehicle salespersons and dealerships, auto body shops and wrecking yards, emission control stations and inspectors, hazardous material transporting and the issuing of special use fees pertaining to motor carriers; parties denied licenses for maintenance, installation or sale of fire extinguishers, fire alarm systems or fire sprinkler systems; and use of explosives in commercial construction and commercial fireworks displays.

Schedule, open and preside at DMV hearings under the guidelines of the Nevada Administrative Procedures Act and/or agency policies and procedures; establish jurisdiction; receive testimony and exhibits into evidence; assist claimants/petitioners, client advocates and witnesses to clarify facts by explaining the purpose of the hearing and asking or answering relevant questions; maintain order and rule on procedural matters including the admissibility and relevance of evidence presented; and summarize the issues for the record and for the parties involved.

Review and analyze all documented evidence and arguments and render a fair and impartial decision on the basis of the facts established during the hearing; collateral evidence obtained from consultants which clarify legal, medical or jurisdictional issues; and the research of applicable policies and procedures, the Nevada Revised Statutes, the Nevada Administrative Code, and precedents established by case law from State and federal court appeals; use case law to determine the basis of the agency's and petitioner's legal position, weigh the validity of the information presented and assist the Hearing Officer to document the decision.

Write and edit decisions by stating the mandatory issues clearly, summarizing the findings of fact that will support any conclusions of law, stating the reasons and rationale for the decision, citing applicable precedent, and where conflict exists, the basis for finding one party's testimony more credible; writing the conclusion in clear, understandable language; and editing for correctness of language and legal citation before signing final decision subject only to higher appellate review or appeal to the district court.

Maintain records of hearing dispositions and prepare periodic reports of hearing activities; may recommend program and policy changes based on issues appealed and decisions rendered and may serve as a staff resource to clarify program related issues and address concerns related to the rules, practices and procedures for conducting fair hearings.

May supervise clerical support staff by participating in the selection process, providing staff training and development, assigning and reviewing work, evaluating work performance and initiating first level disciplinary actions.

Perform related duties as assigned.

CLASS CONCEPTS

Chief Administrative Law Judge: Under administrative direction, in addition to performing the full range of duties described in the series concept, the incumbent is responsible for the most complex cases that require significant legal interpretations. In addition, the incumbent supervises lower level Administrative Law Judges statewide; reviews cases handled by subordinate staff; prepares and monitors the section's annual budget; develops policies and procedures; and develops the training manual and provides training as necessary.

Administrative Law Judge: Under general supervision, incumbents perform the full range of duties described in the series concept. This is the journey level in the series.

MINIMUM QUALIFICATIONS

CHIEF ADMINISTRATIVE LAW JUDGE

EDUCATION AND EXPERIENCE: Graduation from an accredited law school, one year of experience as a practicing attorney and one year of experience conducting quasi-judicial hearings for contested administrative decisions, disputed claims and/or infractions of the rules and regulations pertaining to licensing and fees under the jurisdiction of the Department of Motor Vehicles; **OR** one year of experience as an Administrative Law Judge in Nevada State service; **OR** an equivalent combination of education and experience.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working knowledge of: State and federal laws pertaining to hearings within the agency; various functions, practices and procedures of different divisions within DMV in order to conduct administrative hearings for a variety of unrelated programs; adjudicate complex and controversial cases dealing with manufacture/dealer franchise, fuel tax, tax audits involving multiple jurisdictions, and revocation of dealers licenses.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Working knowledge of: principles and practices of management and supervision; State budgetary process. **Ability to:** plan, organize and manage the activities of statewide hearing offices; assign and review work performed by lower level Administrative Law Judges; interview and hire new Administrative Law Judges; develop training materials and provide training to lower level staff; develop policies and procedures related to dealerships, emission control stations, driving schools, body shops, wrecking yards, transportation of hazardous materials, and the motor carrier (trucking) industry; prepare budget proposals and monitor unit's annual budget; prepare bill drafts and testify before the Legislature. **Skill in:** court management.

ADMINISTRATIVE LAW JUDGE

EDUCATION AND EXPERIENCE: Graduation from an accredited law school and one year of experience as a practicing attorney; **OR** Bachelor's degree from an accredited college or university with major coursework in administrative law, business administration or closely related field and four years of professional experience adjudicating disputes requiring interpretation of rules, regulations or laws; **OR** an equivalent combination of education and experience.

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (required at time of application):

Working Knowledge of: administrative law; proper administrative procedure in a quasi-judicial setting; judicial writing techniques. **Ability to:** conduct complex and/or difficult adjudicative hearings; analyze information, practices and procedures for a variety of unrelated program areas to formulate logical and objective solutions; make appropriate decisions based on related laws and regulations, an analysis of policy, precedents, current circumstances, and possible consequences; write legal decisions and opinions

MINIMUM QUALIFICATIONS (cont'd)

ADMINISTRATIVE LAW JUDGE (cont'd)

ENTRY LEVEL KNOWLEDGE, SKILLS AND ABILITIES (cont'd)

clearly, concisely and accurately based on facts and conclusions of law; interpret laws, regulations, policies, procedures, legal documents and medical reports; work independently with a minimum of supervision; effectively communicate with persons from a variety of social, economic, educational levels, both verbally and in writing; coordinate and schedule work assignments by determining the time, place and sequence of actions to be taken; establish priorities which accurately reflect the relative importance of job responsibilities.

FULL PERFORMANCE KNOWLEDGE, SKILLS AND ABILITIES (typically acquired on the job):

Knowledge of: State and federal laws pertaining to hearings within the agency; various functions, practices and procedures of different divisions within the DMV in order to conduct administrative hearings for a variety of unrelated programs.

This class specification is used for classification, recruitment and examination purposes. It is not to be considered a substitute for work performance standards for positions assigned to this class.

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ESTABLISHED: 7/1/03R
10/16/03UC

3/2/94R
3/10/95PC